UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

September 18, 2015

Mr. John Winkle
Federal Railroad Administration
1200 New Jersey Avenue SE, MS-20
Washington, DC 20590

SUBJ: EPA Comments on the Final Environmental Impact Statement (FEIS);
All Aboard Florida Intercity Passenger Rail Project, Orlando to Miami, Florida
CEQ No.: 20150225

Dear Mr. Winkle:

Pursuant to Section 309 of the Clean Air Act (CAA) and Section 102(2)(C) of the National Environmental Policy Act (NEPA), the U.S. Environmental Protection Agency (EPA), Region 4 Office has reviewed the Final Environmental Impact Statement (FEIS) and Section 4(f) Evaluation for the All Aboard Florida (AAF) Phase II, Orlando to Miami, Florida Intercity Passenger Rail Project. We appreciate your coordination with us and are enclosing our technical review comments regarding the proposed project.

The proposed project includes adding a second track within 128.5 miles of the existing Florida East Coast Railroad right-of-way, between West Palm Beach and Cocoa, Florida. Additionally, the project includes a new 40-mile railroad line parallel to State Road 528 between Cocoa and Orlando International Airport, and a new vehicle maintenance facility south of the airport. Grade crossings, bridges, and signalization improvements are planned, along with adding new communications and train control systems.

Phase I of the proposed passenger rail project was evaluated in a 2012 Environmental Assessment (EA), which included rail improvements between West Palm Beach and Miami, Florida. A 2013 Finding of No Significant Impact (FONSI) was issued by the Federal Railroad Administration (FRA), which included the construction of three new stations, purchasing five train sets, adding a second track along most of the 66.5 mile corridor, and adding new roundtrip service between West Palm Beach and Miami. Direct impacts from Phase I of the project are not included in this EIS for Phase II, but the cumulative effects of both phases are included in the EIS. The FRA determined that Phase I of the passenger rail project has independent utility. Subsequent to the FONSI, a new location for the proposed Fort Lauderdale Station was evaluated, and a re-evaluation decision was made that there is no significant difference from the location evaluated in the 2012 EA. In addition, a Supplemental EA and FONSI have also been

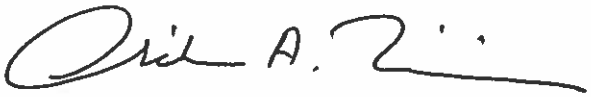
issued for a new location in West Palm Beach for the proposed Fort Lauderdale layover and maintenance facility.

AAF identified Alternative E as the Preferred Alternative and proposed action. The FRA evaluated AAF's analysis, and concurred that Alternative E is the agency's preferred alternative and proposed action that fulfills its statutory mission and responsibilities, considering economic, environmental, technical and other factors.

Based on EPA's review of the project and in consideration of the Preferred Alternative's impacts, the EPA has environmental concerns that should be more rigorously addressed by the FRA and the applicant as the project continues into final design and permitting. Specifically, wetlands impacts and noise impacts should be avoided to the maximum extent feasible and unavoidable impacts should be fully mitigated (See enclosed comments). In addition, ongoing consultation with the State Historic Preservation Office (SHPO) should also be documented for historic properties in the Record of Decision (ROD).

The EPA supports alternative modes of transportation, such as high-speed passenger rail, due to the potential environmental air quality benefits as identified in the FEIS. Projected benefits of the project include potential decreased automobile vehicle miles traveled (VMT), resulting in beneficial outcomes of the project related to climate change and greenhouse gas (GHG) emissions. Please provide us with a copy of the ROD when it becomes available. If you have any questions, please contact Ramona McConney of my staff at (404)562-9615, or by email at McConney.Ramona@epa.gov.

Sincerely,



Christopher A. Militscher
Chief, NEPA Program Office
Resource Conservation and Restoration Division

Enclosure

EPA Review and Comments
Final Environmental Impact Statement (FEIS)
All Aboard Florida Intercity Passenger Rail Project
Orlando to Miami, Florida

Wetlands

In the EPA's comment letter regarding the Draft EIS dated December 3, 2014, the EPA identified Alternative A as the environmentally-preferred alternative, based on acres of wetlands impacts. Alternative A would impact 113 acres, Alternative C would impact 158 acres, and Alternative E would impact 188 acres.

The FEIS notes that Alternative E was identified by AAF as its Preferred Alternative because it is the only alternative that is reasonable and feasible to construct; Alternatives A and C were determined not to be reasonable and feasible (page 3-64). Alternative E, the Preferred Alternative, would have higher wetlands losses (188 acres) based on updated wetland delineation data along the East-West Corridor segment. It is not clear why this data (188 acres) was not used throughout the FEIS (Page 5-99) and should be fully addressed in the Record of Decision (ROD).

The acreage of wetlands loss listed in Table S-2 (page S-25) should be listed as 113, 158, and 152 acres respectively, if reviewing wetland impacts alone, and not including impacts to other waters of the United States.

The FEIS does not include an environmental evaluation (i.e., Uniform Mitigation Assessment Method) to determine the lost wetland functions and values of each proposed alternative. This information is a vital tool in evaluating each alternative, and in determining the preferred alternative based on the lost wetland functions and values of each alternative. Without this information, the mitigation costs associated with each alternative are unclear; these costs should also have been considered in the process of selecting the Preferred Alternative.

Table 7.2-2 (page 7-4) of the FEIS does not identify all potential federally approved mitigation banks that may be used to offset project impacts.

Recommendation: Impacts should be avoided to the maximum extent feasible, and unavoidable impacts should be fully mitigated. Concerns noted above should be fully addressed in the ROD and during the Clean Water Act (CWA) Section 404 permitting process.

Noise

The E-W corridor would result in noise impacts, primarily due to increased noise from elevated portions of the track. Page S-12 of the FEIS notes the potential for 105 moderate impacts and 5 severe noise impacts at residential receptors, and one moderate impact at an institutional receptor. The FEIS notes that noise mitigation along elevated portions of track may include sound barriers on the edge of the elevated structures. The FEIS also states that AAF is committed

to mitigating impacts and cooperating with local jurisdictions, if they should seek to establish quiet zones in lieu of wayside horns.

Vibration impacts along the E-W Corridor could potentially impact 118 residential and 12 institutional receptors. Chapter 7 lists best management practices (BMPs) and mitigation measures for the project.

Recommendation: Mitigation measures should be committed to in the FRA's ROD, and post-construction evaluation of noise is recommended. Full coordination and collaboration with local communities is also recommended and should continue as the project progresses.

Climate Change

The FEIS states that the project would decrease emissions as a result of decreased automobile vehicle miles traveled (VMT), based on calculations for emissions of greenhouse gases (GHG), including carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O).

Effects from sea level rise for the MCO Segment and E-W corridor are anticipated to be minimal for the 2030 and 2060 planning horizons because these segments of the project are at higher elevations and further from the coastline. Bridge structures in the N-S Corridor and WPB-M corridor will have increased vulnerability over time; potential infrastructure damage may result from flooding, tidal damage, and/or storms (page S-14).

Recommendation: Evaluation of climate change parameters should be evaluated as the project progresses, and measures to ensure infrastructure stability related to storm surges or other events should be a part of ongoing planning and CWA permitting. Adaptation measures for potential infrastructure issues should be planned for and addressed during the project's construction and operation.